

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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IN RE: AIR CRASH NEAR CLARENCE CENTER,  
NEW YORK, ON FEBRUARY 12, 2009

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**09-md-2085**

**This Document Relates To:  
ALL CASES**

**STIPULATION OF DISMISSAL**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned attorneys of record for BOMBARDIER, INC. and BOMBARDIER AEROSPACE CORP., COLGAN AIR, INC. and PINNACLE AIRLINES CORP., that

**WHEREAS**, no party hereto is an infant or incompetent person for whom a committee or guardian has been appointed, and no person not a party has an interest in the subject matter of the action:

**THAT**, all crossclaims and third-party actions by defendants COLGAN AIR, INC. and PINNACLE AIRLINES CORP. against defendants BOMBARDIER, INC. and BOMBARDIER AEROSPACE CORP. be and the same are hereby discontinued and dismissed on the merits, with prejudice and without costs or further recourse to the other, and all crossclaims and counterclaims by BOMBARDIER, INC. and BOMBARDIER AEROSPACE CORP. against COLGAN AIR, INC. and PINNACLE AIRLINES CORP. be and the same are hereby discontinued and dismissed on the merits, with prejudice and without costs or further recourse to the other; and

**THIS STIPULATION OF DISMISSAL**, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure may be filed without further notice with the Clerk of the Court.

DATED: Buffalo, New York  
March 1, 2011.

By: s/ David J. Harrington  
David J. Harrington

By: s/ Michael A. Brady  
Michael A. Brady

**CONDON & FORSYTH LLP**

Times Square Tower  
7 Times Square, 18<sup>th</sup> Floor  
New York, NY 10036  
Tel.: (212) 894-6780  
Fax: (212) 370-4453  
dharrington@condonlaw.com

- and -

Neil A. Goldberg  
**GOLDBERG SEGALLA LLP**  
665 Main Street, Suite 400  
Buffalo, NY 14203  
Tel.: (716) 566-5475  
Fax: (716) 566-5401  
ngoldberg@goldbergsegalla.com

*Attorneys for Defendants Colgan Air, Inc.  
and Pinnacle Airlines Corp.*

**HAGERTY & BRADY**

69 Delaware Avenue, Suite 1010  
Buffalo, NY 14202  
Tel.: (716) 856-9443  
Fax: (716) 856-0511  
mbrady@hagerty-brady.com

- and -

L. Richard Musat  
**TREECE ALFREY MUSAT &  
BOSWORTH, P.C.**  
Denver Place, South Tower  
999 18<sup>th</sup> Street, Suite 1600  
Denver, CO 80202  
Tel.: (303) 292-2700  
Fax: (303) 295-0414  
lrmusat@tamblaw.com

*Attorneys for Defendants Bombardier  
Aerospace Corp. and Bombardier Inc.*